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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/718,810      | 11/24/2003  | Hayami Nakagawa      | 0649-0931P          | 3459             |

2292 7590 06/07/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

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| EXAMINER |
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STRIMBU, GREGORY J

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

3634

|                   |               |
|-------------------|---------------|
| NOTIFICATION DATE | DELIVERY MODE |
|-------------------|---------------|

06/07/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

|                              |                                       |   |  |
|------------------------------|---------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/718,810  | <b>Applicant(s)</b><br>NAKAGAWA, HAYAMI |  |
|                              | <b>Examiner</b><br>Gregory J. Strimbu | <b>Art Unit</b><br>3634                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007 and 15 May 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Drawings***

The drawing corrections filed November 2, 2004 have been approved.

***Claim Rejections - 35 USC § 112***

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recitation "so as to cover the central opening from a vehicle compartment inner side of the inner panel" on lines 2-3 of claim 4 renders the claim indefinite because it is unclear how the inner panel can be cover the central opening from a vehicle compartment inner side of the inner panel and make contact with vehicle outer side peripheral portion of the inner edge.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-11, 13-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi et al. in view of Okamoto et al. Sakaguchi et al. discloses a door for a vehicle, comprising an outer panel 13, an inner panel 20, 21, 22 attached to the outer panel, the inner panel having a central opening (not numbered, but shown in

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figure 2) defined by an inner edge (not numbered, but shown in figure 2 adjacent the central opening), a base plate 40 to which at least a window regulator module 50 is assembled, a single piece element forming the entire base plate with the base plate having a peripheral edge (not numbered, but shown in figure 2) adapted to be attached to a vehicle outer side peripheral portion of the inner edge of the inner panel, such that the peripheral edge makes contact with the vehicle outer side peripheral portion of the inner edge (as shown in figure 3) so that the base plate wholly covers the central opening of the inner panel, the peripheral edge of the base plate 40 is attached to the inner edge of the inner panel 20, 21, 22 so as to cover the central opening from a vehicle compartment outer side of the inner panel as shown in figure 3, the central opening has a notched shape which gradually becomes narrower from an upper edge of the central opening toward a lower side of the central opening as shown in figure 2, a door glass 70, a belt line reinforcement 44. Sakaguchi et al. is arguably silent concerning a base plate wholly covering the central opening of the inner panel.

However, Okamoto et al. discloses a base plate 12 which wholly covers a central opening (not numbered, but shown in figure 1) of an inner panel 2.

It would have been obvious to one of ordinary skill in the art to provide Sakaguchi et al. with a base plate, as taught by Okamoto et al., so that the electrical components can be attached directly to the base plate without the need of an additional vapor barrier.

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Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi et al. as applied to claims 1, 5, 6, 9-11, 13-16 and 18 above, and further in view of Baldamus et al. Baldamus et al. disclose the use of screws 16 to attach an inner panel to a base plate.

It would have been obvious to one of ordinary skill in the art to provide Sakaguchi et al. with screws, as taught by Baldamus et al., to increase the ease of assembling the door.

### ***Response to Arguments***

Applicant's arguments filed March 7, 2007 have been fully considered but they are not persuasive.

### ***Conclusion***

**THIS ACTION IS NOT MADE FINAL.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a stylized flourish at the end.

Gregory J. Strimbu  
Primary Examiner  
Art Unit 3634  
May 29, 2007